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REMARKS

Claims 1-32 are pending in this application. All have been rejected. Claims 1, 14-16, and 25-26 were rejected under 35 USC 102(e) in view of the patent to Kesel. Claims 2-7, 12-13, 18-24, and 27-28 were rejected under 35 USC 103(a) in view of Kesel and the patent to Kriens. The Office rejected claims 8-9 and 29-32 under 35 USC 103(a) in view of Kesel, Kriens, and the patent to Trout. Claims 10 and 11 were rejected under 35 USC 103(a) in view of Kesel, Kriens, and the patent to Bossemeyer. Claim 17 was rejected under 35 USC 103(a) in view of Kesel and the patent to Chase.

The Office also has objected to the title of this application as not being sufficiently descriptive. Applicant has amended the title above.

The Kesel Reference

Applicant claims "an automated system" that is capable of "analyzing words in customer feedback" and "generating an indication to rate" that feedback "*without requiring intervention by a human user.*" (Emphasis added.) Kesel does not show, nor does he even suggest, such a system. Kesel states clearly, in fact, that human intervention is required in carrying out his comment-reporting technique. In particular, "the analysis of [each] raw comment" received by Kesel's system must be "conducted by a transcriber who has knowledge of comment categories, descriptors, dimensions, and attitudes." (Col. 8, lines 63-67.) This "transcriber" must be a human user, because Kesel makes it clear that the "transcriber uses a 'mouse'-type entry device . . . to select or highlight the characteristics being evaluated." (Col. 9, lines 10-13.) Kesel does describe a second embodiment in which "a digital representation of the raw oral comment is scanned by a semi-automatic analyzer," but Kesel makes it clear that this "preliminary scan and analysis" simply "reduces the time and work required of transcribers to analyze and create the normalized representations of the oral comments." (Col. 9, lines 18-20 and 28-30.) Human intervention, therefore, is still required.

It is clear that Kesel does not show or suggest the automated system claimed by Applicant. Applicant's claims therefore are patentable over Kesel.

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The References Combined With Kesel

Like Kesel, none of the other references cited by the Office – Kriens, Trout, Bossemeyer, and Chase – even suggests, let alone teaches, the use of “an automated system” for analyzing customer feedback “without requiring intervention by a human user.” Therefore, these references, even with combined with Kesel, fail to show the features of Applicant’s invention.

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CONCLUSION

The claims all are allowable over the art of record. Applicant asks the Office therefore to allow all of the claims. Please charge any fees that might be due, excluding the issue fee, to deposit account 50-1673.

Respectfully,

Date:

7/19/03

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